

## ABSTRACT OF HILLCREST HEIGHTS FIRST ADDITION

OWNER'S CERTIFICATE AND RESTRICTIONS OF HILLCREST HEIGHTS  
FIRST ADDITION WASHINGTON COUNTY, OKLAHOMA

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, the property herinafter described has been surveyed and platted as a residential subdivision under the name of HILLCREST HEIGHTS FIRST ADDITION, A subdivision in Washington County, Oklahoma, and as such has been divided into lots, streets and easements as shown by the plat on file in the office of the County Clerk of Washington County, Oklahoma in Plat Envelope Number 276.

Starting at a point 120 feet south and 120 feet east of the NE corner of the NW/4 SE/4 thence south 750 feet, thence west 540 feet, thence south 615 feet to a line 165 feet south of the north line of SW/4 SE/4, thence east to the east line of SW/4 SE/4, thence south 165 feet, thence south 89° 55' west 549.4 feet, thence south 62° 43' west 432.8 feet to the east boundary line of State Highway #23-A, thence in a northerly direction along the east boundary line of said highway to a line 260 feet east of the west line of the NW/4 SE/4 thence north to a line 120 feet south of the north line of the NW/4 SE/4 thence east to a point of beginning; all being situated in Section 19, Township 26 North, Range 13 East, Washington County, State of Oklahoma.

Now, therefore, the undersigned, L. E. Scott and Nanette Scott, the owners of all said land, and referred to as HILLCREST DEVELOPMENT COMPANY, in order to assure the proper use of said real property do hereby impress upon and attach to said lands the following restrictions, conditions, and covenants to-wit:

1. All lots in Hillcrest Heights First Addition shall be used exclusively for residential purposes, and no residence or other structure shall be used either in whole or in part as a professional office, shop, school, or studio, or for the conduct of any business or trade.

2. A building site or plot may be one lot or more than one lot, but not less than one lot, except that lot #1 may be divided into sub-lots 1-A, 1-B, and 1-C as shown on plat.

3. No structure shall be erected, placed or permitted to remain on any building plot, other than one single family residence and buildings appurtenant thereto such as a garage, servant's quarters, children's play house, and garden shelter.

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(Owners Certificate and Restrictions)

4. Prior to January 1, 1975, no building shall be erected, placed or altered on any building plot in Hillcrest Heights First Addition until the building plans, specifications, and plot plan showing the location of such building shall have been approved in writing by Hillcrest Development Company as to conformity and harmony of external design and materials with other structures in Hillcrest Heights First Addition and as to location of the building with respect to topography and finished ground elevation.

5. The outside foundation line of any part of any building, including porches, garages, car ports, bay windows, chimneys, etc., shall be located a minimum of 25 feet from the front line, and 25 feet from any side street line, and 10 feet from any side line of the building plot.

6. Any plot that abuts more than one street shall be deemed to front on each street abutted and any residence erected upon such a plot in Hillcrest Heights First Addition shall have a presentable frontage on each abutting street.

7. The existing fence generally along Highway #23-A and along the backs of lots 6, 7, 9, 10, 11, 12, 13, and 14 may not be cut without written permission from Hillcrest Development Company.

8. No nuisance shall be committed upon any lot, and no fowl or animals that may be offensive or annoying to the neighborhood may be kept in this addition.

9. No trailer, basement, tent, garage or other outbuildings shall at any time be used as a residence.

10. No buildings shall be moved from another location on to Hillcrest Heights First Addition.

11. Any dwelling erected in Hillcrest Heights First Addition shall have a minimum of 1400 square feet of usable floor area, exclusively of breezeways, porches, attached garages, walks, patios or balconies.

12. Easements ~~for~~ public utility installations and maintenance are hereby reserved and dedicated in and on the side and rear five feet of each building site or plot of ground sold for use as one dwelling site. In special cases easements are wider as shown on the recorded plat and shall supercede the five foot easement called for above.

13. No fence shall be erected that will in any way obstruct the view of traffic on any street, nor shall any fence be placed so as to be objectionable to the surrounding area.

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(Owners Certificate and Restrictions)

14. No bill board or advertising sign shall be erected or maintained except for the sole purpose of advertising the sale of the lot or property upon which the sign may be placed, and such signs shall not exceed six square feet in area.

15. If the owner or tenant of any lot or lots in Hillcrest Heights First Addition should violate any of the restrictive covenants contained herein, and thereafter refuse to correct the same and to abide by said restrictions, the owner of any lot or building site in the addition may institute legal proceedings to enjoin, abate and/or correct such violation, and the owner of the lot permitting the violation shall pay all attorney fees, court costs and other expenses incurred by the person instituting such legal proceedings, said costs to be fixed by the court. The amount of such fees, costs and other expenses allowed and assessed by the court shall become a lien upon the land as of the date legal proceedings were originally instituted, and said lien shall be subject to foreclosure in such action, so brought to enforce such restrictions.

16. These restrictive covenants are to run with the land and shall be binding on all parties and all persons until January 1, 1975, at which time said covenants shall automatically be extended for successive periods of ten years unless by vote of a majority of the then owners of the lots or building sites it is agreed to change said covenants in whole or in part.

17. Invalidation of any of these covenants by judgement or by court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

18. Connection of the building sewer to the sewer main shall be made at the wye provided and must be inspected and approved by a representative of Hillcrest Development Company at time of connection, said approval being one of the requirements for using the sewer main. Roofs, paved areas, yards, patios and courtyards shall not be drained into the sewer system.

19. Driveways shall be twelve (12) feet minimum width at property line with eight (8) feet minimum radius from street.

ABSTRACT OF HILLCREST HEIGHTS FIRST ADDITION  
OWNER'S CERTIFICATE AND RESTRICTIONS OF HILLCREST HEIGHTS FIRST  
ADDITION, WASHINGTON COUNTY, OKLAHOMA

SIGNED AND DELIVERED THIS 3rd Day of February 1958

L. E. Scott

Nanette Scott

ACKNOWLEDGMENT

State of Oklahoma  
Washington County

Before me, the undersigned, a Notary Public in and for said  
County and State on this 3rd day of February 1958,  
personally appeared L. E. SCOTT and NANETTE SCOTT to me known  
to be the identical persons who executed the within and fore-  
going instrument and acknowledged to me that they executed the  
same as their free and voluntary act and deed for the uses and  
purposes therein set forth.

Given under my hand and seal the day last above written.

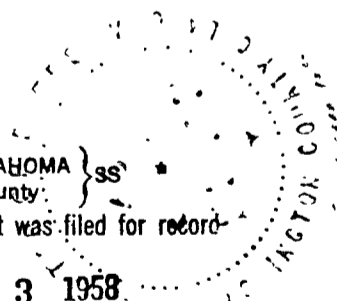
My commission expires July 21, 1967

Paul E. Tucker Notary Public



STATE OF OKLAHOMA }  
Washington County }  
This instrument was filed for record

FEB 3 1958  
at 10:25 o'clock A M.  
O. E. CREWS, County Clerk  
BY Alam Deputy



This instrument was filed for record  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
O. E. CREWS, County Clerk  
BY \_\_\_\_\_ Deputy

246770

STATE OF OKLAHOMA }  
Washington County } SS  
This instrument was filed for record

HILLCREST DEVELOPMENT COMPANY  
L. E. SCOTT  
P. O. BOX 1319  
BARTLESVILLE, OKLAHOMA

FEB 3 1958  
at 10 25 o'clock a.m.  
O. E. CREWS, County Clerk  
BY *[Signature]* Deputy

February 3, 1958

Board of County Commissioners  
Washington County, Oklahoma

Gentlemen:

This letter is in accordance with your request, and regards a residential subdivision called Hillcrest Heights Addition, situated in Section 19, Township 26 North, Range 13 East, Washington County, State of Oklahoma.

It is our intention to surface all streets with either portland cement or asphaltic paving installed to recommended specifications.

We feel sure that we will more than meet your requirements.

Yours very truly  
*[Signature]*  
L. E. SCOTT  
*[Signature]*  
NANETTE SCOTT

Acknowledgment

State of Oklahoma  
Washington County

Before me the undersigned, a Notary Public in and for said County and State on this 3rd day of February, 1958, personally appeared L. E. SCOTT and NANETTE SCOTT to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day last above written.

My commission expires July 21, 1961.



*[Signature]*  
NOTARY PUBLIC


AFFIDAVIT

AMENDMENT TO OWNER'S CERTIFICATE AND  
RESTRICTIONS OF HILLCREST HEIGHTS  
FIRST ADDITION WASHINGTON  
COUNTY, OKLAHOMA

(Filing Stamp Here)

1-2015-007649 10/14/2015 1:23 pm  
Book 1140 Page(s) 3340-3348  
Fee: \$ 29.00 Doc: \$ 0.00  
Marjorie Parrish - Washington County  
State of Oklahoma

*SB*



BK1140PG3340

Everett Piper, of lawful age, being duly sworn, deposes and says as follows:

That he is the duly acting and qualified President of Oklahoma Wesleyan University, Inc., an Oklahoma Corporation.

That by document entitled "Owner's Certificate And Restrictions Of Hillcrest Heights First Addition Washington County, Oklahoma", L.E. Scott and Nanette Scott, also known as Hillcrest Development Company, caused certain restrictions to be imposed upon all the land located within Hillcrest Heights First Addition, Bartlesville, Washington County, Oklahoma, and that said document was dated the 3<sup>rd</sup> day of February, 1958, and recorded in Book 358 at Page 584, in the office of County Clerk, Washington County, Oklahoma.

That paragraph 16 of said Certificate requires a vote of a majority of the owners of the lots or building sites located within Hillcrest Heights First Addition to change said restrictive covenants in whole or in part.

That attached hereto and made a part hereof are signatures representing affirmative votes totaling more than a majority of the owners of the lots or buildings sites located within Hillcrest Heights First Addition.

That by having secured the affirmative votes of more than a majority of the owners of the lots in Hillcrest Heights First Addition, the owners of such lots have agreed, as provided for in Section 16 of the Certificate, to change and amend the Certificate by removing and waiving Lots 1-A, 1-B and 1-C from all restrictions set forth in the Certificate, thereby permitting Oklahoma Wesleyan University, as the owner of the lots formerly burdened by such restrictions, to construct student resident facilities and parking lots, all in accordance with applicable city ordinances and regulations.

DATED this 6<sup>th</sup> day of October, 2015.

Oklahoma Wesleyan University, Inc.

By:

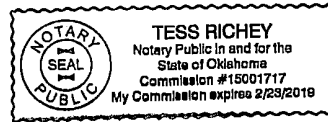
*Everett Piper*  
Everett Piper, President

STATE OF OKLAHOMA )  
 ) ss.  
WASHINGTON COUNTY )

This instrument was signed, sworn to and acknowledged before me on this 6<sup>th</sup> day of October, 2015, by Everett Piper, President of Oklahoma Wesleyan University, Inc., on behalf of said corporation.

*TESS RICHEY*  
Notary Public #15001717

My commission expires: 2.23.19



2201 SE Silver Lake Rd.  
Bartlesville, OK 74006

BK1140PG3341

Hillcrest Heights First Addition

The undersigned, each being an owner of a lot or building site located within Hillcrest Heights First Addition, by their respective signatures hereinbelow, cast an affirmative vote, thereby agreeing to forever remove and waive all Restrictions of Hillcrest Heights First Addition and thereby allow Oklahoma Wesleyan University, Inc., as owners of Lots 1-A, 1-B and 1-C, to use said Lots for the construction of students residence facilities and parking lots in accordance with the applicable City ordinances and regulations.

BK 1140PG3342

Lot #	<u>Lot Owner</u>	<u>Address</u>
20	Aubrey King Maureen King	2201 Skyline Dr
52	Dee Rutger	2136 Skyline Dr
55	Deane Rutgers	2136 Skyline Dr.
55	<del>Paul Williams</del>	2118 Skyline Dr
55	Nancy Williamson	2118 Skyline Dr.
51	Amy	1730 Moonlight Dr.
45	Grace Willis	1800 Moonlight
45	Lamy Willis	1800 Moonlight
22	Ruth Campbell	2127 Skyline Dr
22	Theresa Campbell	2127 Skyline Dr
24	Penny & Bless	2115 Skyline Dr.



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BK 1140P63343

Lot #	<u>Lot Owner</u>	<u>Address</u>
#15	Kevin D. Buchanan and Mary Beth Buchanan	2200 Sunshine Ct
#19	Catherine Stephens	2207 SE Sycamore Dr
#19	Larry Stephens	2207 SE Sycamore Dr
#41	Jean Lem Trustee	2204 SE Skyline Dr
#40	Doree Chambers Trustee	2210 SE Sycamore Dr
#40	Doree Chambers Trustee	2210 SE Skyline Dr
#14	Derek Millyan	2203 Sunshine Ct.
#13	Brian Dalgman	2209 SE Sunshine Ct
#17	<del>Ernestine</del>	2219 SE Skyline Dr
#17	Nancy Madison	2219 SE Skyline Dr.
#54	Carolyn Brinkmeyer Trustee	2124 SE Skyline Dr.
#43	Jeresa Powell Successor Trustee	1733 SE Montclair Dr

**Hillcrest Heights First Addition**

The undersigned, each being an owner of a lot or building site located within Hillcrest Heights First Addition, by their respective signatures hereinbelow, cast an affirmative vote, thereby agreeing to forever remove and waive all Restrictions of Hillcrest Heights First Addition and thereby allow Oklahoma Wesleyan University, Inc., as owners of Lots 1-A, 1-B and 1-C, to use said Lots for the construction of students residence facilities and parking lots in accordance with the applicable City ordinances and regulations.

BK 1140 PG 3344

Lot #	<u>Lot Owner</u>	<u>Address</u>
16	Zell Pitts	2206 SE Sunshine Ct.
42	R. Galite Juch Trustee	1727 Moonlight
42	R. Roger Juch Trustee	1727 Moonlight
21	J. Lee McCall	2133 Skyline Dr.
21	Petricia C McCall	2133 Skyline Dr.







